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Newburn Neighbourhood Plan – Public Meeting and Submissions

10.

FOR ACTION

FROM Planning and Development Department

TO Planning and Development Committee

DATE June 15, 1987

Refer to File No. P5-2-101

Attention of V. J. Abraham

SUBJECT

Proposed Plan for Mewburn Neighbourhood.

RECOMMENDATION

That the proposed Mewburn Plan (preferred option) and policies to the east of West Fifth Street, be adopted by Council.

EXPLANATORY NOTE

Municipal sewer services are available for the eastern portions of the neighbourhood. In accordance with Official Plan Policies, a Neighbourhood Plan has been prepared. The proposed Mewburn Neighbourhood Plan contains a land use plan and policies which incorporate energy efficiency and urban design considerations. Only the area to the east of West Fifth Street is recommended for approval since there are issues related to the area to the west of West Fifth Street which need further study.

V. J. Abraham, M.C.I.P.
Director of Local Planning

J. D. Thoms, M.C.I.P.
Commissioner
Planning and Development

BACKGROUND

The neighbourhood plan for the Mewburn Neighbourhood is being prepared at this time due to the recent extension of sewer services to this area. A trunk sewer was extended to Upper James Street, in the vicinity of Rymal Road, in 1985, which provides sewer services for the south western portion of Mewburn. Another trunk sewer is to be extended to Upper James Street in 1987-1988, just north of Stone Church Road, to provide service for the north of the neighbourhood. The availability of sewers means that the area is available for development.

- Background information related to the neighbourhood has been collected and published in a report dated November, 1987. This information on existing land use and other characteristics served as the basis for the preparation of the Plan.

- The Official Plan designates Mewburn Neighbourhood for commercial generally along Upper James Street and for residential and institutional in the rest of the area.

NEIGHBOURHOOD PLAN

The Mewburn Neighbourhood Plan attempts to provide a functional and attractive living environment for the residents of the neighbourhood and a commercial area in the east of the neighbourhood. It is based on sound planning principles within the framework of the Official Plan.

- APPENDIX 1 contains the Planning Department report dated February 11, 1987, outlining the objectives of the Mewburn Plan and recommending that a public meeting be held to discuss the proposed plan. This recommendation was approved at the Planning and Development Committee meeting of February 25, 1987.

PUBLIC MEETING AND SUBMISSIONS

A public meeting was held on March 18, 1987 to discuss the proposed Neighbourhood Plan. The minutes of the public meeting are attached as APPENDIX 2.

Submissions were received from the following:

1) Rosart Properties Inc.
2) Fortino's Supermarkets
3) T. D'Angelo, Solicitor of behalf of A. Sourdos, 1492 Upper James Street
4) Mr. R. Morris, 1452 Upper James Street
5) Bayfield Green Development Company
6) Mr. K. Ramey, 1041 West 5th Street
7) Mr. J. Lane, 1073 West 5th Street
8) Mrs. L. Henderson, 1150 West 5th Street
   Mr. & Mrs. D. Vallee, 1162 West 5th Street
   Mr. & Mr. L. Vallee, 1166 West 5th Street
   Mr. & Mrs. C. Vallee, 1172 West 5th Street
9) Mr. F. Rother, 1212 West 5th Street
   Mr. & Mrs. R. Paton, 1216 West 5th Street
   Mr. & Mrs. E. Follows, 1232 West 5th Street
10) Connor & Connor, Solicitors on behalf of H. Allison, 172 Rymal Road West
11) Mr. & Mrs. R. Ryan, 186 Rymal Road West

Location map, copy of submissions and solicitor letter re: McConnell Park is included in APPENDIX 3.

1 SUBMISSION

Mr. D. J. Rosart, Rosart Properties Incorporated, owners of 24 acres of land fronting on Upper James Street, Rymal Road West and West 5th Street made a submission to use the entire site for commercial purposes.

COMMENT

A market study carried out on behalf of the owner by Larry Smith and Associates justifies the need for additional commercial. The proposed shopping centre would not have any adverse impacts on existing and planned commercial development in the area. However the Regional Transportation Department requires further study to establish the exact location of accesses. It would be undesirable to permit vehicular access to the site from West Fifth Street. Such access would have adverse impacts on the existing and future residences on West Fifth Street, expecially if this is downgraded from an arterial road.

Two options are available for buffering the existing dwellings on West Fifth Street from the proposed commercial development, namely:

- in the preferred land use plan, a row of single family homes is to be located along the east side of West Fifth Street, which provides good buffering.
- in the alternative land use plan, a landscaping strip 15.2 m (50 feet) in width would be provided at the edge of the commercial lands.

2 SUBMISSION

Mr. C. Fausto, Fortino's Supermarkets, owners of 1514 - 1530 Upper James Street, request that the entire depth of their property be designated to "Commercial" to permit a supermarket.

COMMENT

The commercial depths have been adjusted from Upper James Street to approximately 22.4 m (735 ft.). The remainder of the site is to be developed with adjacent land for single and semi-detached houses.

3 SUBMISSION

Mr. T. D'Angelo, Barrister & Solicitor, on behalf of Mr. A. Sourdos, 1492 Upper James Street objects to the proposed location of the mid-block collector road which would reduce the size of his client's property by approximately one-third and therefore would prevent the establishment of a car dealership by Mr. Sourdos. He feels that if a roadway is necessary, it should be moved northerly onto the property known as 1478 Upper James Street.

The proposed road alignment would then require approximately 20 feet of Mr. Sourdos' lands which would be an acceptable alternative. However, the first preference would be to eliminate the proposed roadway.

COMMENT

To shift the proposed location of the mid-block collector road as suggested would resolve Mr. Sourdos' concern. However, the proposed location of the mid-block collector lines up with the mid-block collector to the Ryckmans Neighbourhood. Land behind Mr. Sourdos' property would be available for commercial if he wishes to expand. No buildings are affected with the proposed location.

4 SUBMISSION

Mr. R. J. Morris, 1452 Upper James Street

I) suggested that the policies for Neighbourhood Commercial on page 4 of APPENDIX C, under sub-paragraph titled "Design" include the statement:

- fronts on commercial buildings located 24 m (80 ft.) from the front property line, with variable building depths.

This policy is presently included for both commercial development and commercial/retail warehouse, but not for neighbourhood commercial. The draft policy would allow a 4 storey building within about 5.5 metre (18 ft.) of the road allowance at the mid-block collector road. In his opinion, this does not provide for an attractive streetscape and appropriate visual appearance of 4 storey buildings.

COMMENT

The Plan foresees a neighbourhood commercial development to the south of Mr. Morris' property. Four storey would be a desirable intensity, since the whole of Upper James Street frontage is planned for commercial. It seems appropriate that side yard and front yard setbacks be established at the time of zoning. The current "G" zoning (Neighbourhood Commercial) abutting the residential "C" zoning requires a front yard setback of 20 feet and a 4 feet side yard setback. While the exising owner lives in this existing dwelling, protection for this property should be provided, in a form such as buffering, set backs, and appropriate height of new buildings to prevent overshadowing of the existing dwelling.

II) Objects to the proposed closure of West 5th Street

COMMENT

This proposed road closure will be dealt with at a later date, at the time that the plan for the western half of the neighbourhood is finalized.

5 SUBMISSION

Mr. G. Grant, on behalf of Bayfield Development Company, prospective owner of approximately 9.4 acres known as 1416 Upper James Street made a submission to extend the depths of the commercial designated area and is suggesting single family lots for the remainder of the site.

COMMENT

The commercial depths have been adjusted accordingly. The location of residential lots and the local streets have been shifted to the west, to allow for the increased commercial depths.

6 SUBMISSION

Mr. K. Ramey, 1041 West 5th Street suggested that the local roads to the south of his house be shifted southward to provide him with a larger side yard for his existing dwelling.

COMMENT

The proposed roads have been adjusted accordingly.

7 SUBMISSION

Mr. J. Lane, 1073 West 5th Street opposed to the use of part of his property for roadway purposes.

COMMENT

The proposed road has been adjusted to exclude his property from being used for road purposes.

8 SUBMISSIONS

Mrs. L. Henderson, 1150 West 5th Street
Mr. & Mrs. D. Vallee, 1162 West 5th Street
Mr. & Mrs. L. Vallee, 1166 West 5th Street
Mr. & Mrs. C. Vallee, 1172 West 5th Street

I) are opposed to the proposed closure of West 5th Street

COMMENT

This proposed road closure will be dealt with at a later date at the time that the plan for the western half of the neighbourhood is finalized.

II) Object to the proposed 80 feet building setback on Upper James Street

COMMENT

The proposed 80 feet building setback is needed to allow front yard parking, landscaping and service road concept to be coordinated. This is standard for Upper James Street.

III) Suggest realignment of the proposed road relative to their properties.

COMMENT

The proposed road pattern as shown is a guide only. It is not always possible to design a functional road pattern which incorporates all existing lot lines. The actual road locations are established when the land is being subdivided.

IV) Noted that the City land known as McConnell Park, according to their recollection, can not be used for any purposes other than park development.

COMMENT

We have consulted with the City Solicitor's Department and there is no covenant on title that the land is to be used for park purposes only (see attached correspondence APPENDIX 3).

9 SUBMISSIONS

Mr. F. Rother, 1212 West 5th Street
Mr. & Mrs. R. Paton, 1216 West 5th Street
Mr. & Mrs. E. Follows, 1232 West 5th Street

are opposed to the proposed closure of West 5th Street.

COMMENT

This proposed road closure will be dealt with at a later date, at the time that the plan for the western half of the neighbourhood is finalized

10 SUBMISSION

Connor & Connor, solicitors on behalf of Mr. & Mrs. H. Allison, 172 Rymal Road West

I) Object to the Neighbourhood boundary bisecting their property. They feel this division will leave them to deal with another neighbourhood plan in the future.

COMMENT

To be dealt with later.

II) Opposed to the proposed roads on his property because:

a) it divides the property;
b) it eliminates the barn and horsetrack;
c) it makes the land virtually unuseable; and,
d) he does not see the need for the proposed road to Rymal Road and the park site.

COMMENT

To be dealt with later.

III) Does not agree with the Official Plan policy concerning the widening of Rymal Road West

COMMENT

The City Official Plan designates Rymal Road as an inter-regional highway with a road width of 36 m (120 ft.). This road is also known as Provincial Highway No. 53. The Regional Official Plan also designates the road as an inter-regional highway.

IV) Questions the closure of West 5th Street. He suggests that the proposed road which divides this property to be excluded from the Plan.

COMMENT

To be dealt with later.

11 SUBMISSION

Mr. & Mrs. R. Ryan, 186 Rymal Road West

Agree with the overall planning concept. However, they feel that there would not be sufficient traffic to warrant turning lanes on the proposed roadway adjacent to their property, which would bring the traffic flow closer to the existing houses.

COMMENT

To be dealt with later.

ANALYSIS

Most of the objections to the plan east of West Fifth Street can be accommodated by adjustment of boundaries. The major change would be the extension of commercial use in the south east of the neighbourhood. This is justified by a market study but is still subject to further traffic analysis. An Official Plan amendment will be needed and should be processed at the same time as the zoning application.

The possible closing of West Fifth is a major issue. Those that want the road closed fear increased traffic. Those that wish the road to remain open would like quick access out of the neighbourhood. A realignment of West Fifth is proposed to try to accommodate both wishes. This proposal would be in conjunction with residential development in McConnell Park which would reduce the cost of the road and provide money for parks purposes. It appears that 40 acres of parkland is more than the area needs to provide facilities for the community neighbourhoods. The area does not seem suitable for a city wide facility since access is from West Fith Street, a minor arterial. However these issues need further examination. Since sewer services will not be available for some years it is appropriate for the adoption of this part of the plan to be deferred.

CONCLUSION

The attached plan should be adopted as Council policy to guide the development of the neighbourhood to the east of West Fifth.

DG/GG/jmd
W.P. 0564P

APPENDIX I

FOR ACTION

FROM Planning and Development Department

TO Planning and Development Committee

DATE February 11, 1987

Refer To File No. P5-2-101

Attention Of V. J. Abraham

SUBJECT

Proposed plan for Mewburn Neighbourhood.

RECOMMENDATION

That the Planning and Development Committee authorize a public meeting to discuss the proposed plan.

V. J. Abraham, M.C.I.P.
Director of Local Planning

J. D. Thoms, M.C.I.P.
Commissioner
Planning and Development

EXPLANATORY NOTE

The availability of a trunk sewer along Upper James Street provides an opportunity for adjacent land to be subdivided. A proposed plan for the Mewburn Neighbourhood, when approved, will guide land uses and development acitivity.

BACKGROUND

The Region has installed trunk sewers from 1492 Upper James Street to Rymal Road.

The Official Plan designates the area along Upper James Street for Commerical, Major Institutional and Residential uses. The Official Plan requires the preparation of a neighbourhood plan prior to development of the neighbourhood.

Background information has been collected and published in a report dated November, 1986. Policies have been developed using the background report dated November, 1986.

THE PLAN

The plan attempts to achieve the following objectives within the framework of the Official Plan:

- A Commercial strip along Upper James Street worthy of a major entrance to the city, including a retail warehouse area, a major commercial area at Rymal Road and Upper James Street and a neighbourhood commercial centre at the mid-block collector.

- A residential neighbourhood with a school in the interior of the neighbourhood and a major park on the west side of the neighbourhood.

- A residential density of a maximum of 35 persons per acre.

- A road layout which discourages through traffic and minimizes the number of access onto arterial roads.

- Good urban design including preservation of natural features and attractive buildings.

- Energy efficient.

CONCLUSION

A public meeting should be held to obtain imput from affected citizens prior to a report being taken to the Planning and Development Committee with final recommendations.

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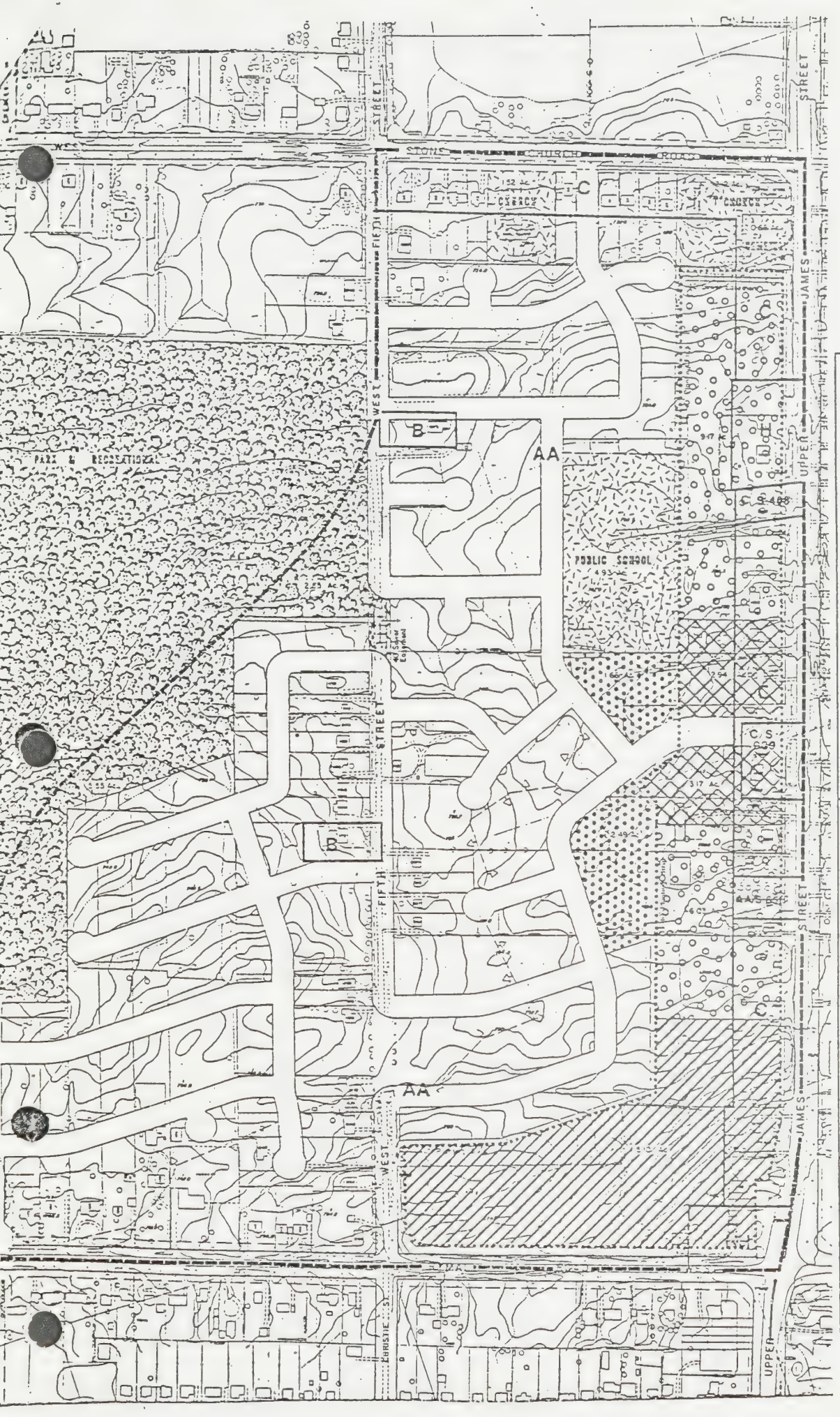


EXISTING POPULATION (1985) 166

LEGEND:

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- LIMIT OF DRAINAGE AREA
- AREA SUBJECT TO URBAN DESIGN GUIDELINES

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAIL CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

LAND USE

RESIDENTIAL
- single & double
- attached housing
- low density apts.
- medium density apts.

- COMMERCIAL
- COMMERCIAL & RETAIL WAREHOUSE
- NEIGH'D COMMERCIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals
Planning Comm. _____ Council _____
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

MEWBURN
PROPOSED PLAN

NORTH

APPENDIX 2

MINUTES OF PUBLIC MEETING

PROPOSED PLAN

MEWBURN NEIGHBOURHOOD

WEDNESDAY, MARCH 18, 1987 AT 7:30 P.M.
ROOM 233, CITY HALL
(UNDER THE AUSPICES OF THE
PLANNING AND DEVELOPMENT COMMITTEE)

ATTENDING

Alderman D. Ross, Chairman for the evening meeting
David Godley, Planning Department
Gerry Groppler, Planning Department
Karl Lapins, Regional Engineering Department
Roland Karl, City Traffic Department

and about 70 citizens.

PRESENTATIONS

Alderman Ross opened the meeting and explained that it was an information session during which the proposed plan and policies for the Mewburn Neighbourhood would be discussed. He asked the citizens to submit their comments in writing by April 21, 1987. All residents of the neighbourhood will be invited to attend this second meeting. The citizens were invited to express their views.

David Godley gave a presentation on the proposed plan and policies. He explained the various planning principles used in determining the policies, land use pattern and road pattern.

DISCUSSION

The following comments were made by neighbourhood residents concerning the proposed plan.

1. Edward Follows, 1232 West 5th Street

    a) Opposed to closure of West 5th Street

        David Godley explained that there would be some benefits to closing West 5th Street such as limiting through traffic. Traffic volumes would grow in the future perhaps requiring a four lane road. Any road closure would only be considered when the neighbourhood is developed and with the residents approval.

    b) Concerned about loss of frontage along West 5th Street.

        The proposed road closure of West 5th Street can be adjusted.

2. Robert Morris, 1452 Upper James Street

Opposed to the proposed setback of the Neighbourhood Commercial. Would like a uniform setback of 80 feet as proposed for the commercial and retail warehouse areas on Upper James Street.

David Godley explained the concept and uses of a Neighbourhood Commercial area. Pointed out that details such as setback and height would take into consideration adjacent existing houses and location.

3. Lucille Henderson, 1150 West 5th Street

Feels that closing West 5th Street will make it difficult to reach the arterial road system.

David Godley explained that we would look into improving the proposed street system. Pointed out the benefits a closure of West 5th Street would have for the residents.

4. Josef Dallak, 1248 West 5th Street

a) Questioned the need and location of the walkway on his property.

David Godley described the function of a walkway and noted that the location is flexible.

b) Supports the closure of West 5th Street.

5. James Ends, 1187 West 5th Street

a) Asked how flexible the lot depths are and what the minimum lot depth would be.

David Godley pointed out that lot depths are mainly planned to be 100 feet but in his case there would be flexibility if the cul-de-sac were shortened.

b) Supports the closure of West 5th Street.

6. Harley Allison, 172 Rymal Road West

a) Asked how wide the proposed road from Rymal Road to the park site would be.

David Godley explained that the proposed road widths vary from 86 feet at Rymal Road to 66 feet in the interior.

b) Asked when the road would be constructed.

The timing of the road construction is up to the owner or subdivider, when the land is being subdivided.

c) Is opposed to the proposed road because he does not want the West 5th Street traffic and proposed stoplight.

The road as proposed is not a substitute to carry out the function of West 5th Street. It is to provide access and egress to the interior of the neighbourhood and park. A stoplight will only be installed when traffic movements require one.

d) Asked why his total property is not shown within in the Mewburn Neighbourhood.

The westerly neighbourhood boundary was established when the West 5th Street realignment was proposed in past plans which cut across the property.

7. Robert Williams, 164 Rymal Road West

a) Opposed to the proposed road from Rymal Road to the park and proposed stop light.

David Godley pointed out that the proposed road is to serve the interior development.

Roland Carl said that from a traffic point of view, the location of the stoplight would fit in with the signal progression on Rymal Road. Also it would be of benefit for the turning movements.

b) In favour of keeping West 5th Street open.

8. Alexander Sourods, 1492 Upper James Street

Objects to the proposed road on his property.

David Godley explained that the proposed midblock collector road on James Street is to provide for traffic and pedestrian movements to the interior of the neighbourhood. It would also provide for vehicle and pedestrian access to the neighbourhood commercial locations.

9. William Ryan, 186 Rymal Road West

a) Asked how much road widening would be required from his property.

David Godley stated that the road widening for 186 Rymal Road West is 44 feet, partly from the north side and partly from the south side.

b) Asked what the proposed road right of way width for Rymal Road would be.

The proposed road right of way width for Rymal Road is 120 feet.

10. Graham Boutilier, 41 Stone Church Road West

Would like to know the timing of the extension of sewer services to Stone Church Road West.

Karl Lapins gave an overview of sewer services, timing and the present local improvement requirements for obtaining sewer services on existing streets such as Stone Church Road West and Upper James Street. The westerly trunk sewer extension to West 5th Street North of Stone Church Road is planned for completion in 1989. Local sewers along existing streets could follow immediately, but require initiative by the Region or the residents under the Local Improvement Act provisions. Interior sewers would have to be installed by the private sector when the land is subdivided. The construction of the sewer services along Upper James Street South of Stone Church Road is essential for the outlet from the interior of the neighbourhood.

11. Harvey Caron, 1508 Upper James Street

Asked whether the 80 feet proposed setback would affect existing buildings.

David Godley explained that existing buildings are exempt from the 80 feet setback.

12. Lucille Henderson, 1150 West 5th Street

Asked what the proposed lot depths on West 5th Street would be.

David Godley said that the average lot depths for subdivisions are 100 feet, but there may be flexibility in certain cases.

13. Paul Simpson, 1240 West 5th Street

a) Suggested a stoplight at West 5th Street and Rymal Road West.

Roland Carl said that the Traffic Department is monitoring the intersection. To date there is not sufficient traffic to warrant a stoplight at this location.

b) In favour of keeping West 5th Street open.

14. Joseph Bador, 53 Stone Church Road

a) Asked whether taxes would increase when sewer services are available.

Alderman Ross explained that property taxes are assessed according to market value. Separate charges are levied for local improvements such as sewers.

b) Asked how wide the road pavement on Stone Church Road West would be.

David Godley said that pavement widths on Stone Church Road could increase to approximately 44 feet, with two lanes in each direction.

15. Wills Lingelbach, 1073 West 5th Street

Is concerned that the proposed road is too close to his house.

David Godley explained that we will review the proposed road location.

16. Kenneth Ramey, 1041 West 5th Street

Asked how far the proposed road is from his house.

David Godley explained that the distance between the house and the proposed road measures approximately 5 feet and, in addition, about 14 feet to the future sidewalk.

Based on a show of hands, about half of the residents present were in favour of the proposed closure of West 5th Street. The other half would like West 5th Street to remain open.

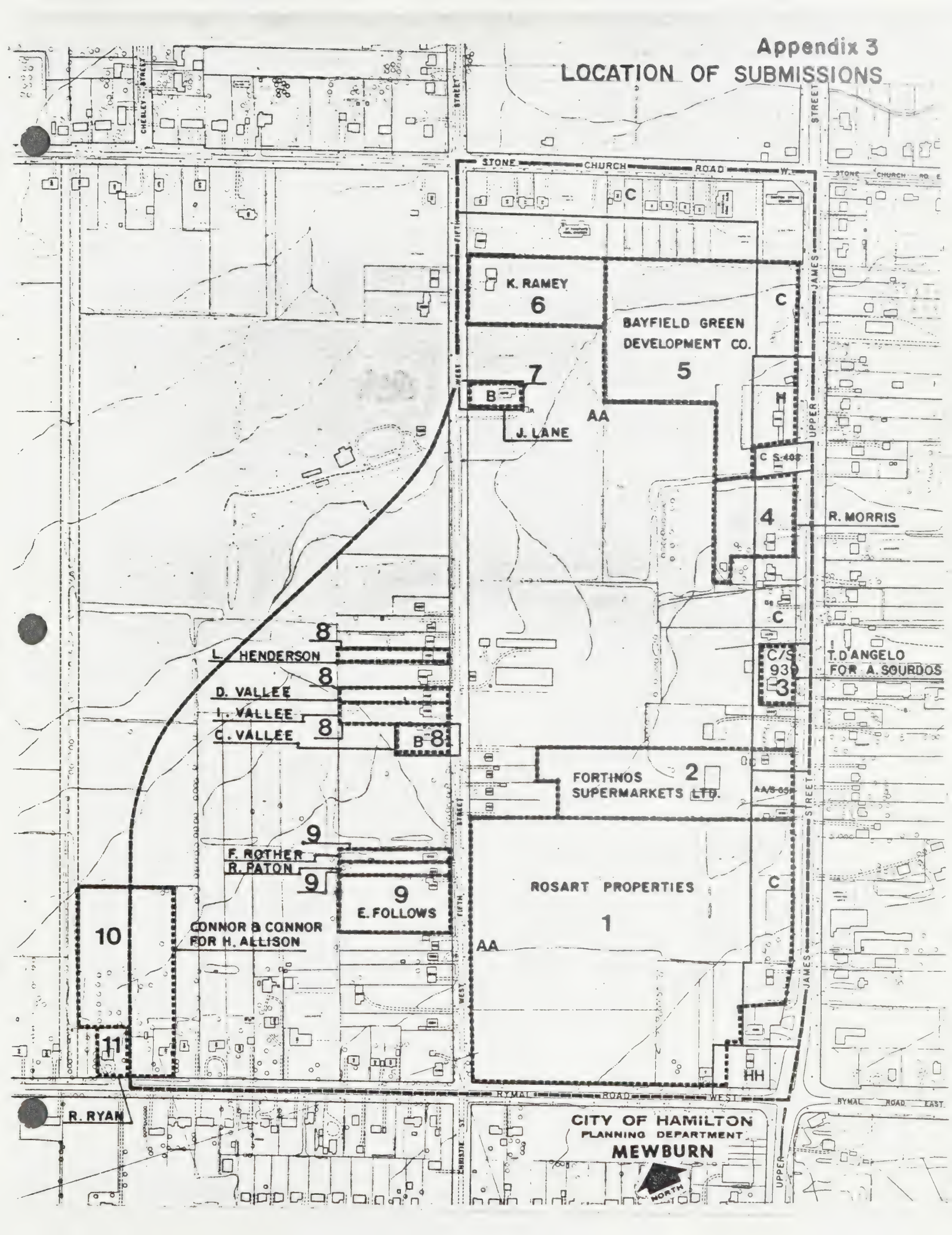
Alderman Ross summed up this meeting by thanking the residents and property owners for attending.

He invited the citizens to submit written submissions by April 21, 1986. Invitations to attend the submission review meeting will be sent to all residents of the neighbourhood.

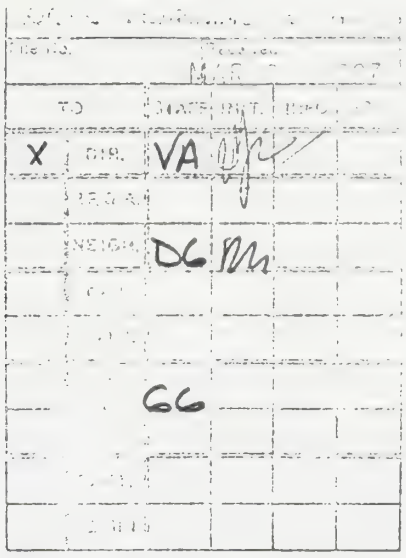
The meeting adjourned at 9:30 p.m.

G.G:nd

W.P. DOC. 0434P


Appendix 3
LOCATION OF SUBMISSIONS
STONE CHURCH ROAD W.
STONE CHURCH RD. E.
CHERLEY STREET
FIFTH STREET
JAMES STREET
UPPER JAMES
WEST 5TH
K. RAMEY
6
BAYFIELD GREEN
DEVELOPMENT CO.
5
7
B
J. LANE
AA
C
H
C S-405
4
R. MORRIS
C/S 939
3
T. D'ANGELO
FOR A. SOURDOS
8
L. HENDERSON
D. VALLEE
I. VALLEE
C. VALLEE
B 8
FORTINOS
SUPERMARKETS LTD.
2
AA/S-65
9
F. ROTHER
R. PATON
E. FOLLOWS
ROSART PROPERTIES
1
10
CONNOR & CONNOR
FOR H. ALLISON
11
HH
RYMAL ROAD WEST
RYMAL ROAD EAST
R. RYAN
CITY OF HAMILTON
PLANNING DEPARTMENT
MEWBURN
NORTH

ROSART
PROPERTIES INC.



March 19, 1987

Mr. Victor J. Abraham
Director of Local Planning
Planning & Development Department
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Abraham:

Re: Submission - Mewburn Neighbourhood
Public Meeting March 18, 1987

Rosart Properties Inc. are the owners of 24 acres of land fronting on Upper James Street and Rymal Road in the Mewburn Neighbourhood. We have submitted for your review a site plan of a proposal which includes a retail shopping centre of approximately 270,000 square feet, a hotel area which could accommodate 120-160 rooms and a garden office building of approximately 30,000 square feet. This project is designed to serve the retail needs of the trade area, the accommodation needs of the industrial sectors of the Mountain and Airport and the commercial office needs resulting from both of the above in this core area.

As you recall in 1984, when the plan was first proposed to the Planning and Development Committee, it was enthusiastically supported pending services and a market demand review. We retained Larry Smith & Associates Ltd. and copies of their study were presented to the Planning Department for their review in January of this year. The most salient points of this study are listed by its author, Douglas Annand, in the attached, along with an outline of the trade area and recommended retail size and uses.

With respect to the hotel and office portions of the plan, we believe that Upper James and Rymal Road will have a very dominant place in the long run development of the Hamilton Mountain. The Airport expansion and the recently approved expressway will provide a strong boost to the industrial growth of Regional Hamilton and we believe our site is of sufficient size and suitably located to service the resulting needs of this growth.

..../2

226 SOUTH SERVICE ROAD E. OAKVILLE, ONTARIO L6J 2X5

DIRECT LINES OAKVILLE 845-7711 HAMILTON 639-2222

Adaptation of our plan to the proposed plan does not seem to present any major problems if the sentiments raised at the meeting are accurate. No-one objected to or questioned the size of the commercial area. About 50% of the residents present wished to maintain West 5th open and perhaps even more would have opted for the street being only partially closed. Accommodation of our plan would, of course, require all the lands to be used for the development. The project could be suitably buffered from the residential areas on the west and south with berms and landscape along road allowances and accesses could be limited to the south end of West 5th.

We would be more than happy to meet with those homeowners directly affected by the project should you feel it is necessary.

Yours truly,
ROSART PROPERTIES INC.

Dominic J. Rosart

DJR/mo

Encs.

COMMUNITY SHOPPING CENTRE
MARKET DEMAND AND IMPACT ANALYSIS
UPPER JAMES STREET/RYMAL ROAD
HAMILTON, ONTARIO

In the Fall of 1986, Larry Smith & Associates Ltd. was retained by Rosart Properties Inc. to conduct an analysis of the market characteristics and competitive structure in the Hamilton Mountain area and evaluate the additional market potential for a community shopping centre at Upper James and Rymal. This study was also intended to address the question of potential impact which could be created by this community shopping centre on existing retail and service facilities on Hamilton Mountain.

Having completed this analysis using a study methodology which incorporates detailed in-home telephone consumer surveys and a conservative residual study approach, we established the following major findings:

- It is our conclusion that the community shopping centre proposed including approximately 275,000 square feet gross leasable area of retail and service space, with a discount or promotional department store of 90,000 square feet and a major supermarket of at least 60,000 square feet, would be warranted in this market with an opening date sometime in 1989.

- The shopping centre would be located in a rapidly developing section of Hamilton and the future population levels in this area would support this retail development.

- The future income and expenditure levels in this market indicate sufficient potential to support not only this facility but the existing and proposed competition in this market.

- We have examined the site of the proposed centre and its relationship to adjacent land uses, as well as the access system in this portion of Hamilton. We would consider the property as a viable location for a community shopping centre from both a physical and locational point of view.

- We have also undertaken an inventory and evaluation of all competitive retail facilities in the Hamilton Mountain trade area and have established that they are capable of withstanding any potential impact which may be created with the opening of the proposed community shopping centre. We would conclude that any sales transfers which may occur will represent a very small portion of the local trade area support for existing stores and will not be detrimental to the economic well being of the existing retail facilities.

- We have also determined based on our consumer survey that a substantial portion of local expenditures are currently leaving the Hamilton Mountain trade area. With the development of this facility, the current outflow of expenditures could be reduced as a wider range of retail commercial stores are provided to serve trade area residents' current needs.

As a general conclusion, we believe that the centre as proposed and as indicated on the recommended development schedule attached, will not only be an important and viable addition to the retail structure of Hamilton Mountain, but will not jeopardize the viability of existing facilities in this market.

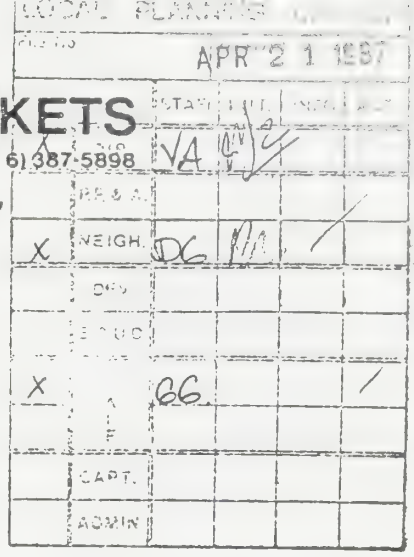
RECOMMENDED DEVELOPMENT SCHEDULE

	Proposed Space (1 (Sq. Ft. GLA)
Food Stores	
Supermarket	55,000 - 65,000
Specialty Food	2,000 - 3,000
Total Food Stores	55,000 - 65,000
DSTM	
Discount Department Store	85,000 - 95,000
General Merchandise	7,000 - 9,000
Apparel/Accessories	30,000 - 35,000
Household Furnishings	10,000 - 15,000
Drugs	6,000 - 8,000
Other Specialty DSTM	20,000 - 25,000
Total DSTM	165,000 - 180,000
Services	
Eating and Drinking Facilities	8,000 - 10,000
Personal Services(2	3,000 - 5,000
Financial Services(3	4,000 - 6,000
Theatres	10,000 - 15,000
Medical/Dental and Other Offices and Services(4	10,000 - 12,000
Total Services	40,000 - 45,000
TOTAL SHOPPING CENTRE	260,000 - 290,000

SOURCE: Larry Smith & Associates Ltd.

1) Measured in terms of gross leasable area.
2) Includes: barber shop, beauty salon, laundry/dry cleaner, shoe repair, etc.
3) Includes the branches of banks, trust companies and credit unions.
4) Other offices and services include: real estate, legal, accountants, photographer, lottery booth, etc. (For a full list see Appendix E).

FORTINOS SUPERMARKETS
275 NEBO ROAD, HAMILTON, ONTARIO L8W 2E2 — (416) 387-5898
"Your Supermarket with a Heart"



April 21, 1987

Mr. Victor J. Abraham
Director of Local Planning
Planning and Development Department
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Abraham:

RE: SUBMISSION MEWBURN NEIGHBOURHOOD PLAN PROPOSAL AFFECTING
1514-1530 UPPER JAMES STREET, HAMILTON

We would like to propose to your Department a few ammendments to the proposed zoning as it affects the above property. It is our intention to locate one of our supermarkets at this site. The proposed zoning of Commercial/Warehouse would probably hinder our efforts to expand our supermarket business to this location; therefore, we request that the zoning be changed to General/Commercial.

The other factor affecting our planned expansion is the proposed depth of the zoning. Our property is approximately 960 feet deep, and we request you consider extending the Commercial Zoning to the complete depth of the property. We feel this would tie in well with the proposed plans for the property just South of our location (i.e., Rosart Property).

Given the past co-operation between the City and our Company, I am confident we can reach an agreement to accommodate all parties.

I would be glad to meet with you to discuss this issue further at your convenience.

Respectfully,

Fausto Carnicelli
Comptroller

FC:ec

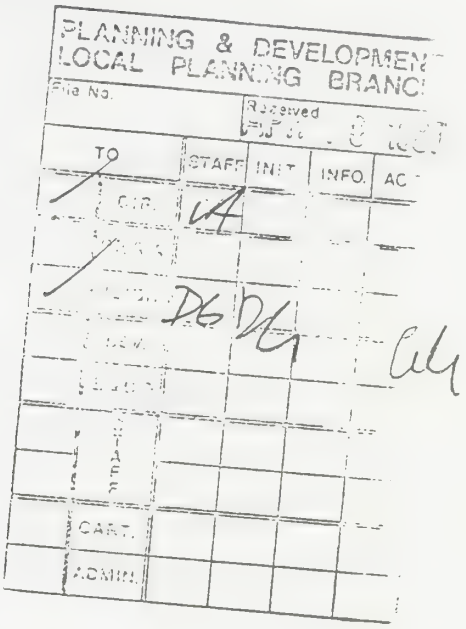
Thomas D'Angelo, B.A., LL.B.

BARRISTER & SOLICITOR

AREA CODE 416
TELEPHONE 387-4940

SUITE 105
1039 UPPER JAMES STREET
HAMILTON, ONTARIO L9C 3A6

April 10, 1987



Mr. Victor J. Abraham
Director of Local Planning
Planning and Development Department
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

Re: Proposed Development - Mewburn Neighbourhood, West of Upper James Street between Stone Church Road West and Rymal Road West
Your File Number P5-2-101

I am the solicitor for Mr. Alex Sourdos, the registered owner of 1492 Upper James Street, which immediately abuts the proposed development on the south.

It is my understanding that a meeting was held on Wednesday, March 18, 1987, in order to consider future development for the Mewburn Neighbourhood. In this regard, I understand that the proposal consists of construction of a roadway between 1492 and 1478 Upper James for the purpose of providing access to the lands at the rear of the subject property.

Mr. Sourdos is very much opposed to the proposed roadway in light of the fact that he has spent a great deal of time and money in rezoning his land holdings for the purposes of establishing a car dealership. This rezoning was recently approved on a temporary basis, provided that certain conditions were complied with. In order to comply with the conditions, Mr. Sourdos has spent at least $10,000.00 in fencing and landscaping! At no time during the lengthy rezoning procedure was Mr. Sourdos ever advised that a roadway was being proposed and that approximately one-third of his property would be required in order to construct this roadway. The proposal, if implemented, would completely destroy the intended use that Mr. Sourdos wishes to establish. Furthermore, it would greatly devalue the fair market value of the property by substantially reducing the actual frontage on Upper James Street.

.....2

Re: Proposed Development
Mewburn Neighbourhood
Your File Number P5-2-101

My client wishes to advise you that if a roadway is necessary, it should be moved northerly to the northern boundary of municipal number 1478 Upper James Street, which will have to be expropriated in its entirety anyway. If the proposed roadway is realigned in accordance with this suggestion, then you will only require approximately twenty feet (20') of Mr. Sourdos's property and he would still be able to establish his car dealership business and the decrease in property value would also be minimized.

Should you be prepared to realign the roadway as above-noted, I am sure that Mr. Sourdos would reconsider his objection to the proposed development.

Please consider the above and advise the writer by return mail of the Region's position with respect thereto.

I thank you for your anticipated cooperation herein.

Yours very truly,

THOMAS D'ANGELO

TDA/sr
c.c. Mr. Alex Sourdos

ROBERT J. MORRIS, P.ENG.
1452 UPPER JAMES ST.
HAMILTON, ONTARIO
CANADA L9B 1K3

March 30th, 1987

Mr. Victor J. Abraham,
Director of Local Planning,
Planning and Development Department,
City Hall,
71 Main Street West,
Hamilton, Ontario,
L8N 3T4

Reference: MEWBURN NEIGHBOURHOOD PLAN POLICIES

Dear Sir:

Allow me to formally recommend that the draft of the above policies dated February, 1987 be changed to add, on Page 4 of Appendix C, under sub-paragraph titled "Design" the statement:

- Fronts of commercial buildings located 24 m (80 ft.) from the front property line, with variable building depth.

This policy is presently stated for both commercial development and commercial and retail warehouse, but not for neighbourhood commercial. Consequently, at present the draft policy would allow a 4 storey building within about 5.5 m (18 ft.) of the road allowance at the mid-block collector road.

The policy, in several places, makes reference to the corridor being an important entrance into the city, and that the policy is to ensure an orderly and attractive streetscape for this corridor.

Visualizing the appearance of 4 storey buildings sitting out near the road while all other buildings are set back does not conjure up an attractive streetscape in my mind.

.... 2

I would also like to record my objection to the proposed closing of West 5th Street. Since it is a 4 lane road north of Limeridge and directly connects to a mountain access route, it makes more sense to instead close Upper Wentworth or Upper Gage which do not have a direct mountain access.

Yours sincerely,

Robert J. Morris

RJM/lm

cc: Don Ross

BAYFIELD GREEN
Development Company

146 West Beaver Creek Rd. Unit 3
Richmond Hill, Ontario L4B 1C2
416/764-0229

April 22, 1987.

Held for $700.

The Regional Municipality
of Hamilton-Wentworth
Planning & Development Department
71 Main Street West
Hamilton, Ontario.
L8N 3T4

Attention: Mr. Glen Whitehouse, Director of Planning.

Re:
Proposed Rezoning at Upper James Street & Stone Church Road,
Concession 8, Town of Barton, 9.411 acres.
Mewburn Neighbourhood Plan.

Dear Mr. Whitehouse:

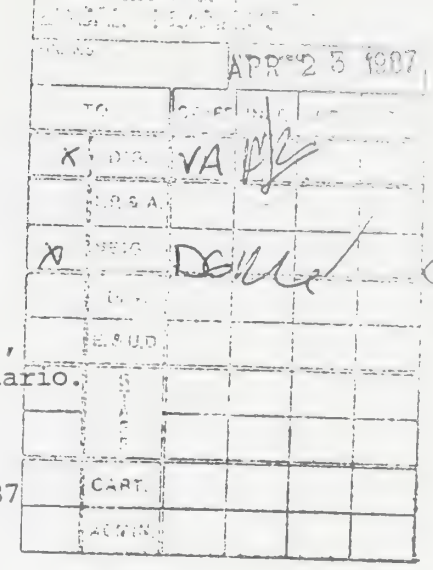
In consideration of the proposed rezoning under the Mewburn Neighbourhood Plan, our company would like to suggest the following be allowed on our site:

1) A Nursery and Craft Centre with outside storage
2) A Home Improvement Centre with outside storage
3) The retention of the existing Fast Food Restaurant
4) The balance of space full retail-commercial
5) The development of a road pattern allowing single family lots approximately 40' X 100' in size.
6) A 40'-0" Right of Way for sewer easement.

All generally as shown on the attached site plan.
We feel that our proposal follows the intent and general concept of the Mewburn Neighbourhood Plan.
Please contact me if you have any comments or questions.

Yours truly,
Bayfield Green Development Company

PER Gary Grant, Executive Vice President.
GG:sw
cc: H. Green
M. Mendelow



1041 West 5th,
Hamilton, Ontario.
L9B 1J5

April 23, 1987

Victor J. Abraham
Director of Local Planning
Planning and Development Department
City Hall
71 Main Street W.,
Hamilton, Ontario.
L8N 3T4

Dear Mr. Abraham:

Further to the public meeting regarding the Mewburn Neighbourhood Plan on March 18, 1987, I am hereby submitting my concerns with respect to the proposal road pattern and its impact on my property.

I have met with Mr. Gerry Groppler to discuss the details of my concern and attach hereto a sketch outlining a revised road pattern with which I now agree.

This revised plan will equally share the burden of the proposed road with the abutting land owner and will relocate the road away from an existing residence.

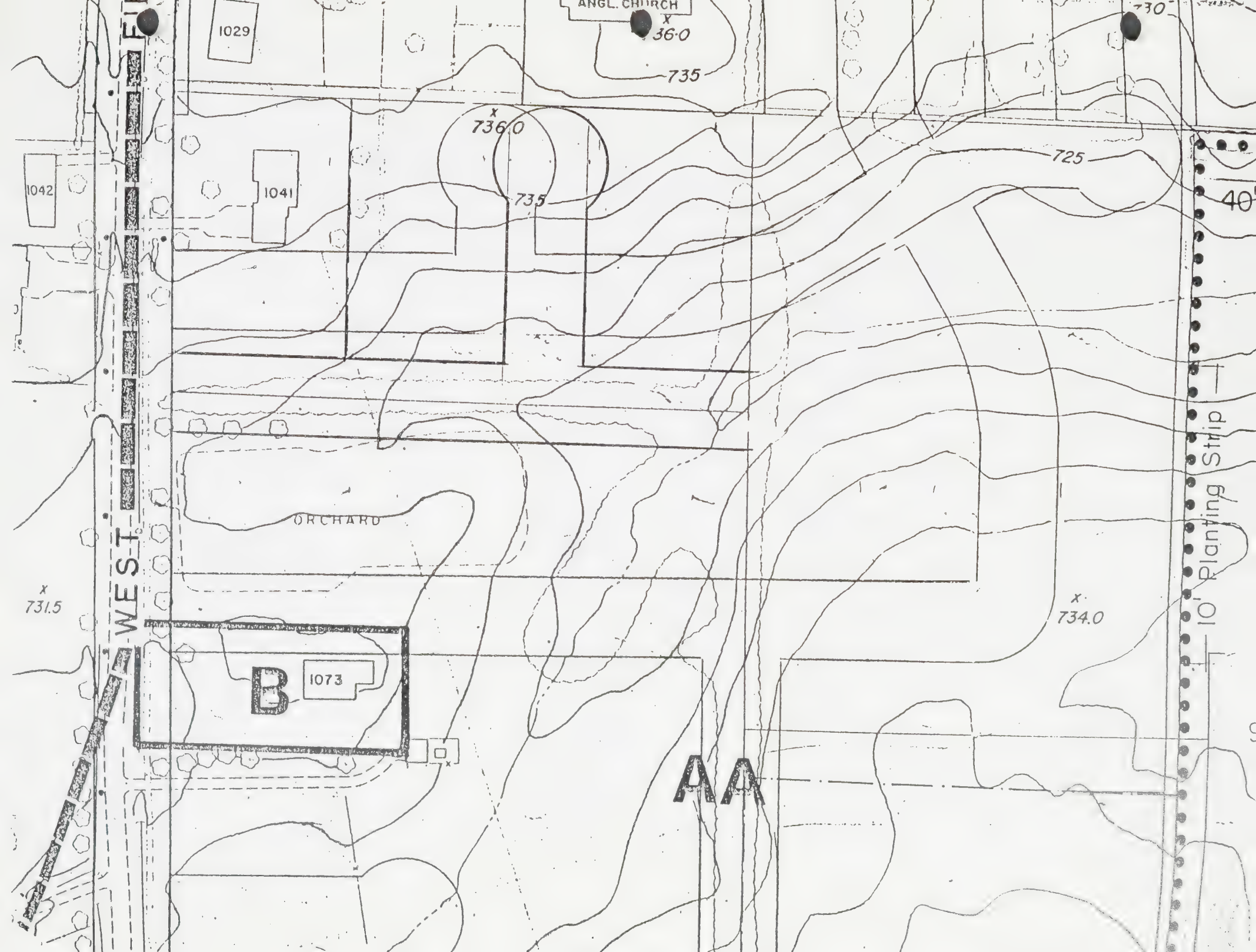
Your consideration in this matter is greatly appreciated. I look forward to your response.

Sincerely,

Ken Ramey

Kenneth Ramey

Encl. Revised sketch


ANGL. CHURCH
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AA
ORCHARD
WEST
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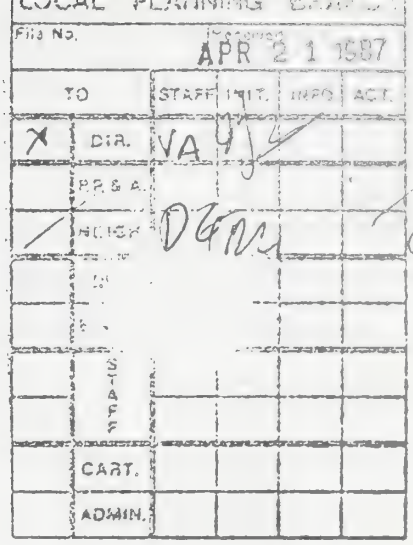
725
731.5
734.0
10' Planting Strip



Lot 15, Concession 8
1073 West 5th Street
Hamilton, Ontario

April 21, 1987

Mr. Victor J. Abraham
Director of Local Planning
Planning and Development Department
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Abraham:

With respect to the proposed plans for the development of the Mewburn neighbourhood, I wish to express my opinions to the proposal.

When this land was purchased three years ago from Finochio & Mossia Enterprises by myself, the size of my lot was laid out to be 100 feet x 200 feet and I paid the full price for this lot of land and house. This severance was approved by the city at that time and because of zoning bylaws, I was required to have the full size purchased.

I do not see the necessity of encroaching on my land for the purpose of a road to develop other lands for building purposes.

The surrounding lands are presently undeveloped.and the road can easily by kept off of my property.

Any reduction in my lot size owuld have an impact on the value of my property in the event of resale, since my lands might then be in contravention with the city zoning bylaws creating unforeseen and undue hardship on myself at a later date.

Since the city has seen fit to declare the property a heritage home, I cannot see why they would now wish to reduce the size of my land, and I feel the Historical Society would think the same way as I do.

In the past three years, I have been putting a lot of time, effort and money into the restoration of the building and grounds. This restoration will continue only if the future setting of the home will complement the work and expense required to make it an attractive feature of the neighbourhood.

. . . 2

I feel that if more indepth thought and consideration were put into the location of this new proposed street, I would not be inconvenienced nor would the esthetics of the property and the intent to preserve a heritage home be disrupted.

Yours truly,

Joeny Lane

J. Lane

c.c. Edwin W. Adler
Adler & Levy

Nena Chapel
L.A.C.A.C.

File # P5-2-101 APR 22 1987

TO	STAFF	INIT.	ORIG. ACT.
DIR.			
PROG. A.			
X NEIGH.	D6		
D.A.			
CLERK			
X PLAN	66		
CAST.			
ADMIN.			

City Hall
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Attention: Mr. V.J. Abraham
Director of Local Planning
Planning & Development Department

Dear Sir:

Newburn Neighbourhood

To begin, I object to the closure of West 5th Street to slow or stall traffic. I suggest that a stop light be installed on West 5th between Rymal Road and Stone Church Road as well as at the two main intersections. Also, I suggest that West 5th Street be made a "No Heavy Truck" route. I feel that if West 5th is cut off, we will no longer enjoy the benefits of a Snow Route or home Postal Delivery. The name of the street will most definitely be changed. This will cause a lot of inconvenience and unnecessary expense. Also, many years ago, the City of Hamilton promised the residents of this area that buses would eventually run south on West 5th Street, south of Stone Church Road, with the road closure, this will most certainly never take place. You would also lose the convenience of West 5th as as alternative emergency route to Upper James, and it has been used for this purpose many times in the past.

I object to the fact that there is, or will be, an 80 foot set back on the west side of Upper James Street for business and on Area #1 and 2 on the enclosed map, this rule will not necessarily apply.

In Area #3 on the enclosed map, this piece of land is being used for either roads or housing, which is contrary to the City of Hamilton's acceptance of this land. This land was left to the City for the purpose of park land and <u>not</u> for housing development.

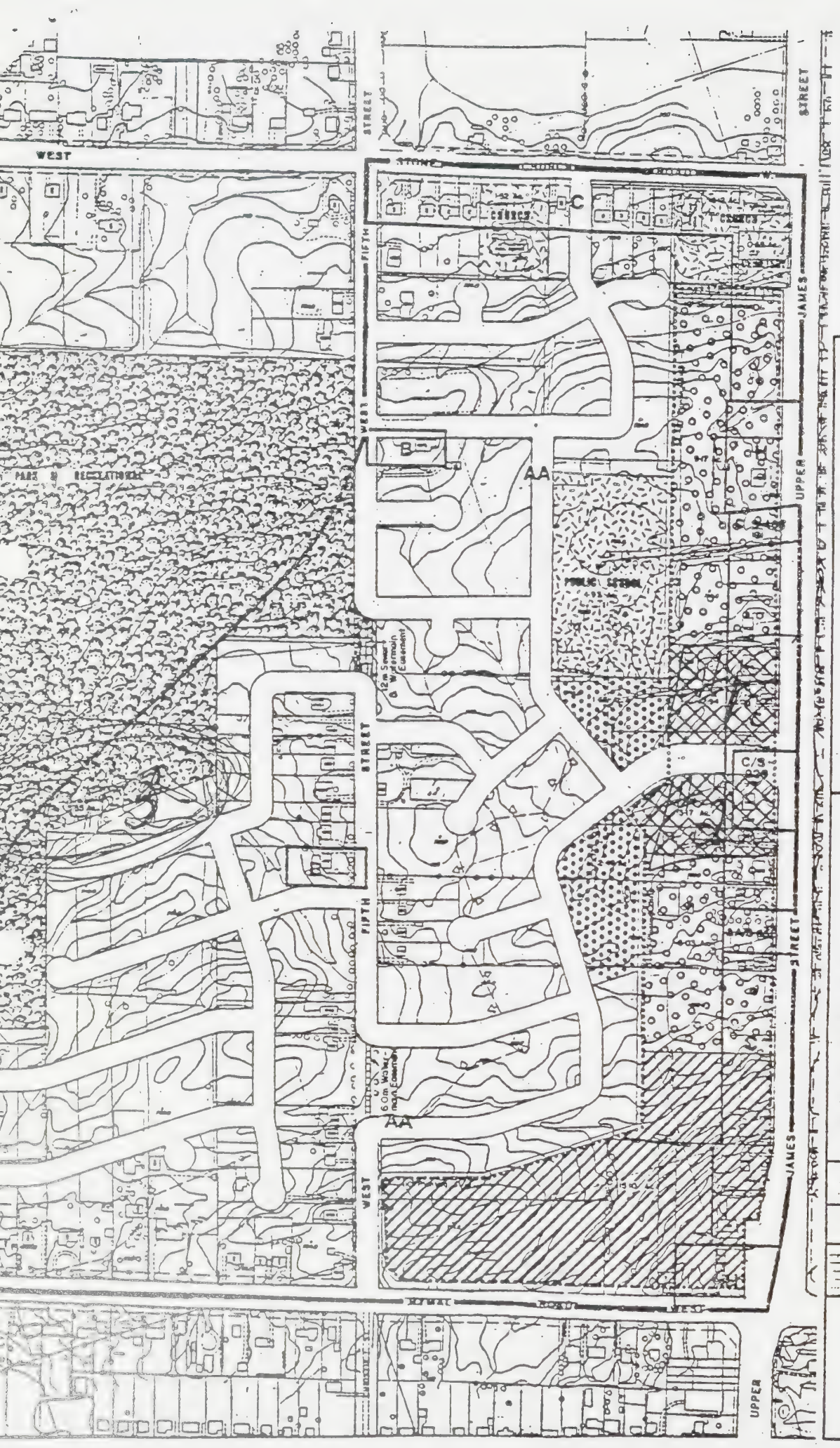
Thank you for considering my arguments against this new proposal.

Yours truly,

Resident
1172 West 5th Street, Hamilton

Enc.

New owners



EXISTING POPULATION (1965) 16(

LEGEND:

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- LIMIT OF DRAINAGE AREA
- AREA SUBJECT TO URBAN DESIGN GUIDELINES

NOTE: THIS IS A BASE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts
- medium density a

- COMMERCIAL
- COMMERCIAL & RETA WAREHOUSE
- NEIGH'D COMMERCIAL
- CIVIC & INSTITUTION.
- PARK & RECREATION
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals

Planning Comm. _____ Council _____

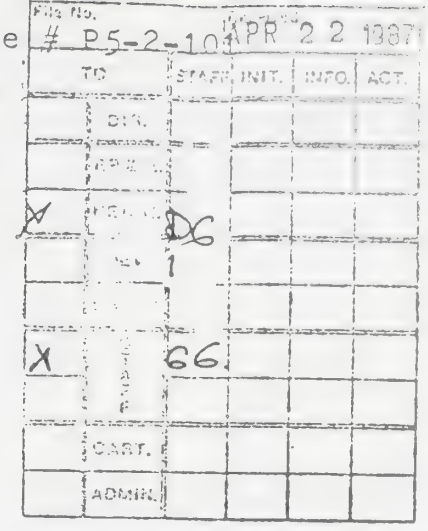
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

MEWBURN
PROPOSED PLAN

NORTH

File # P5-2-10



City Hall
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Attention: Mr. V.J. Abraham
Director of Local Planning
Planning & Development Department

Dear Sir:

Newburn Neighbourhood

To begin, I object to the closure of West 5th Street to slow or stall traffic. I suggest that Stopage be installed on West 5th : by : Rymal Road on The South End of West 5th. not Two as planned. Also, I suggest that West 5th Street be made a "No Heavy Truck" route. I feel that if West 5th is cut off, we will no longer enjoy the benefits of a Snow Route or home Postal Delivery. The name of the street will most definitely be changed. This will cause a lot of inconvenience and unnecessary expense. Also, many years ago, the City of Hamilton promised the residents of this area that buses would eventually run south on West 5th Street, south of Stone Church Road, with the road closure, this will most certainly never take place. You would also lose the convenience of West 5th as as alternative emergency route to Upper James, and it has been used for this purpose many times in the past.

I object to the fact that there is, or will be, an 80 foot set back on the west side of Upper James Street for business and on Area #1 and 2 on the enclosed map, this rule will not necessarily apply.

In Area #3 on the enclosed map, this piece of land is being used for either roads or housing, which is contrary to the City of Hamilton's acceptance of this land. This land was left to the City for the purpose of park land and <u>not</u> for housing development.

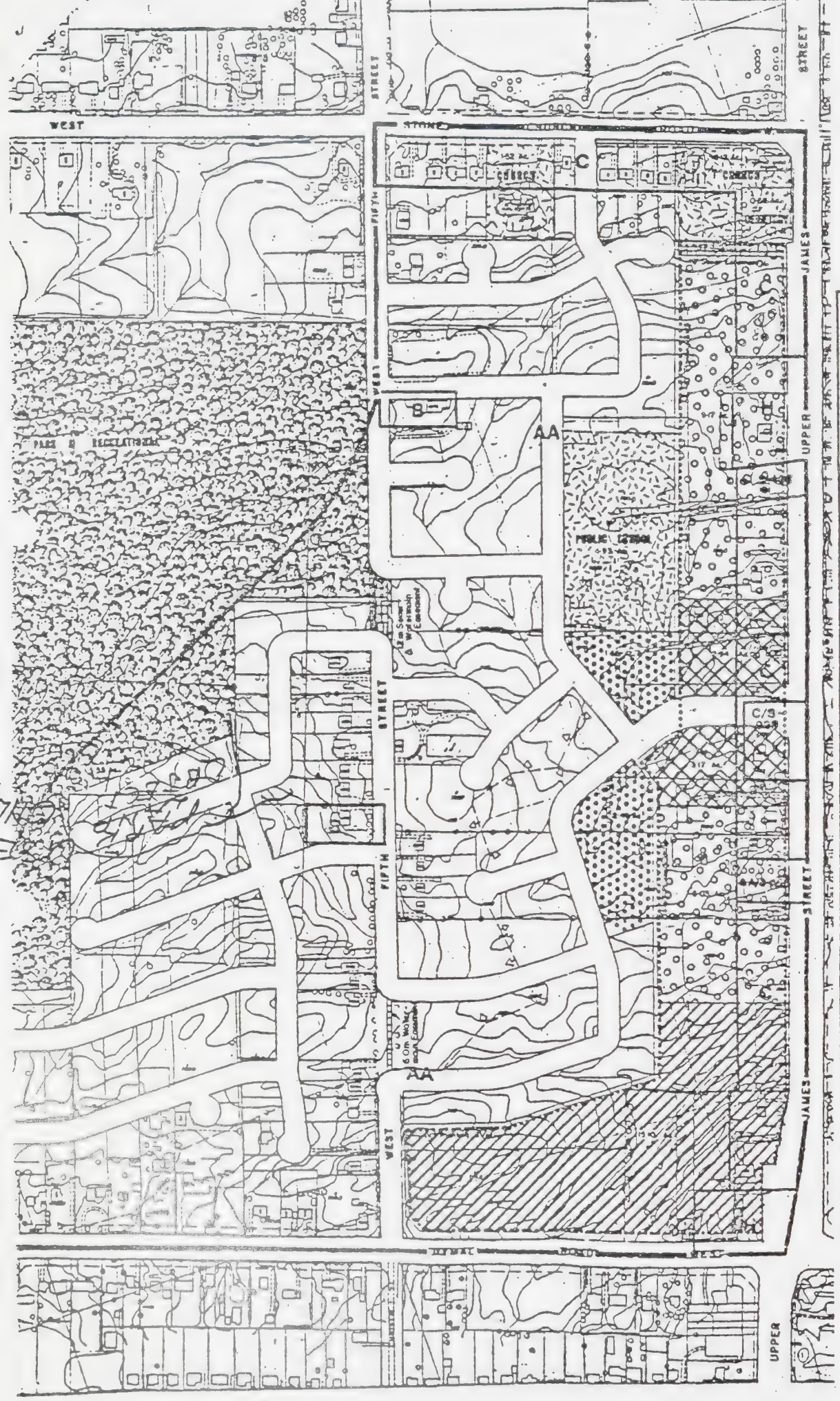
Thank you for considering my arguments against this new proposal.

Yours truly,

L. M. Vallee
L. M. Vallee
Resident
West 5th Street, Hamilton

Enc.

1166 West 5th St.
Hamilton Ontario
L9B-1S6 383-5985



#1

EXISTING POPULATION (1965) 16(

LEGEND:

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- LIMIT OF DRAINAGE AREA
- AREA SUBJECT TO URBAN RENEWAL GUIDELINES

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAIL CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL CORPORATION OF HAMILTON-WENTWORTH

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts
- medium density a

- COMMERCIAL
- COMMERCIAL & RETA WAREHOUSE
- NEIGH'D COMMERCIAL
- CIVIC & INSTITUTION.
- PARK & RECREATION
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals

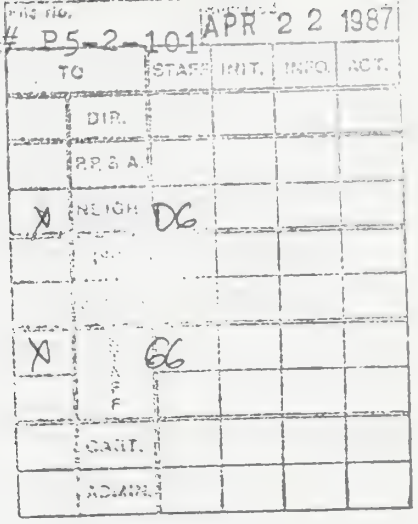
Planning Comm. _____ Council _____

Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

MEWBURN
PROPOSED PLAN

File # P5-2-101



City Hall
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Attention: Mr. V.J. Abraham
Director of Local Planning
Planning & Development Department

Dear Sir:

Newburn Neighbourhood

To begin, I object to the closure of West 5th Street to slow or stall traffic. I suggest that a stop light be installed on West 5th Rymal Road and Stone Church Road at the two main intersections. Also, I suggest that West 5th Street be made a "No Heavy Truck" route. I feel that if West 5th is cut off, we will no longer enjoy the benefits of a Snow Route or home Postal Delivery. The name of the street will most definitely be changed. This will cause a lot of inconvenience and unnecessary expense. Also, many years ago, the City of Hamilton promised the residents of this area that buses would eventually run south on West 5th Street, south of Stone Church Road, with the road closure, this will most certainly never take place. You would also lose the convenience of West 5th as as alternative emergency route to Upper James, and it has been used for this purpose many times in the past.

I object to the fact that there is, or will be, an 80 foot set back on the west side of Upper James Street for business and on Area #1 and 2 on the enclosed map, this rule will not necessarily apply.

In Area #3 on the enclosed map, this piece of land is being used for either roads or housing, which is contrary to the City of Hamilton's acceptance of this land. This land was left to the City for the purpose of park land and not for housing development.

Thank you for considering my arguments against this new proposal.

Yours truly,

Mrs. Lucille Henderson

Resident
1150 West 5th Street, Hamilton
L9B-1T6

Enc.

File # P5-2-10 APR 2 2 1987

TO					
	DIR.				
	PR. & P.				
X	DESIGN	DC			
	PROJ.				
	PROJ.				
X	STAFF	GG			
	CART.				
	ADMIN				

City Hall
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Attention: Mr. V.J. Abraham
Director of Local Planning
Planning & Development Department

Dear Sir:

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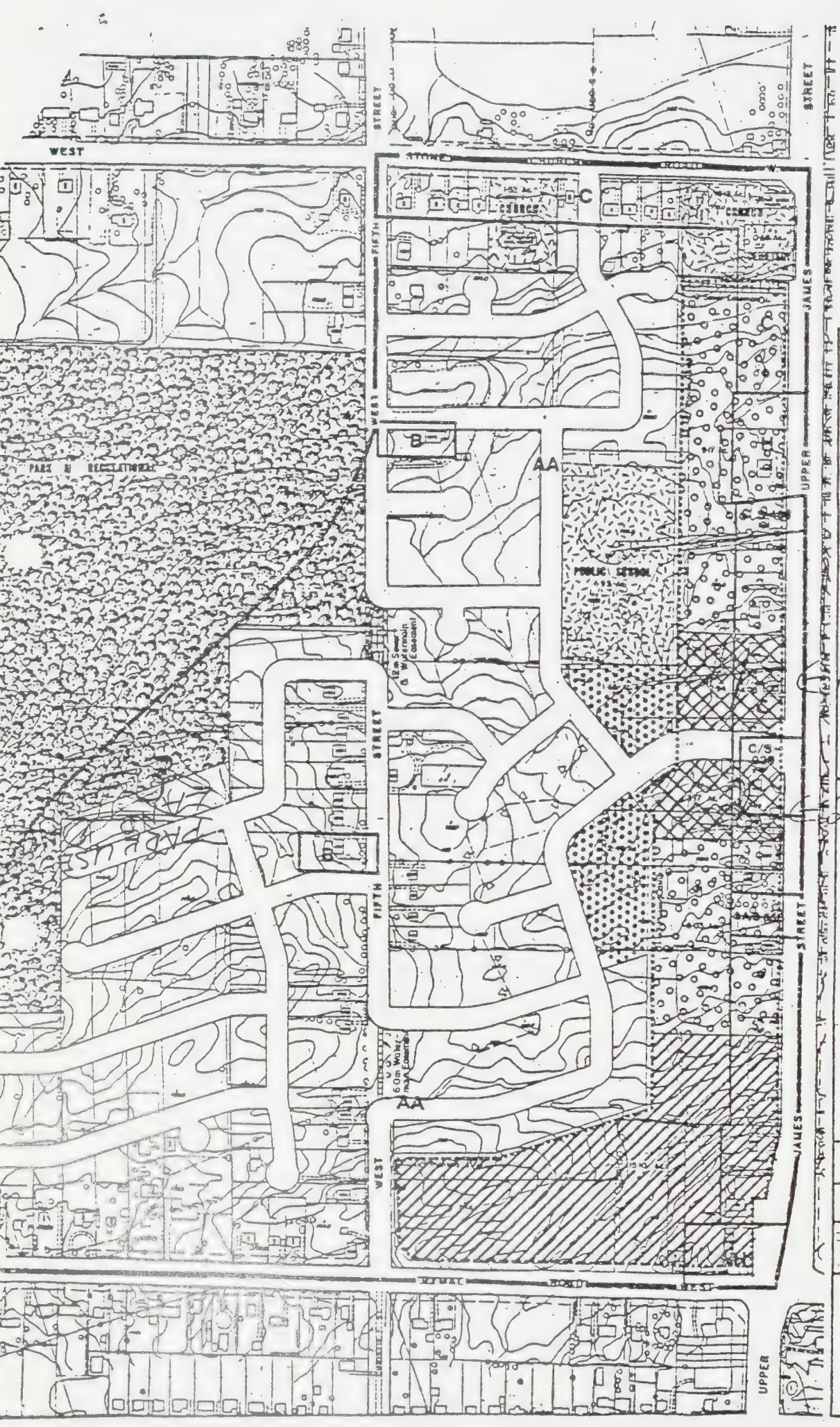
Thank you for considering my arguments against this new proposal.

Yours truly,
Mr Donald Vallee.
Mrs. Dorothy J. Vallee

Resident
1162 West 5th Street, Hamilton

Enc.

L9B 1T6



EXISTING POPULATION (1965) 18(

LEGEND:

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- LAND OF DRAINAGE AREA
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- PARK & RECREATION
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- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals

Planning Comm. _____ Council _____

Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

MEWBURN
PROPOSED PLAN

HAMILTON THE 20.3.87

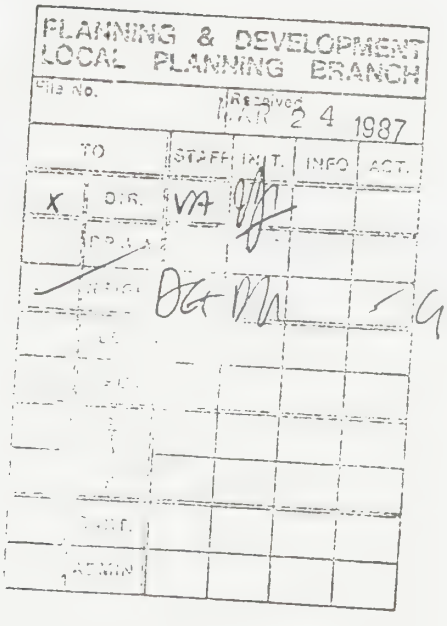
FRITZ ROTHER
1212 WEST 5TH
HAMILTON, ONT.
L9B 1J6

DIR SIR!

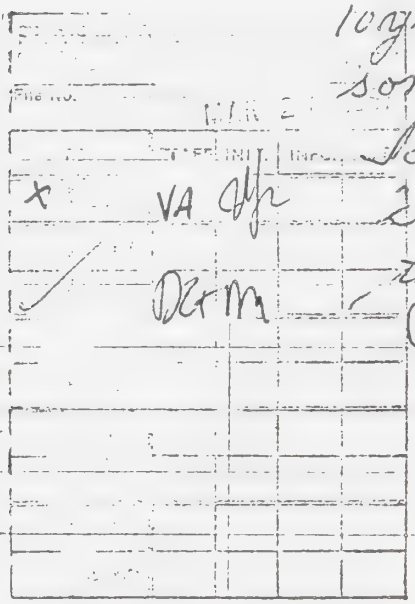
RE: FILE NO P5-2-101

I object to the plan of closing WEST 5TH STREET.

Frith Rother



in riguards to closeing 5th West 5th Ste.
Hamilton my vote is No to closeing the
steets. I have lived 41 yrs on the road with
out sewers. City Hamilton promised sewers
10 yrs after Anex Burton I think we are owed
some consideration. I hope the vote No
I do not walk well, so I did not attend the meetig
Is a straight road — cheaper to maintain
then a curve or angled road ?



Thanks for Reading this note. th
Robert E. Eaton
1216 West 5th Ste
Hamilton L9B-1J6

Edward Follows,
Harriet Follows,
1232 West 5th. St.,
Hamilton Ont.,
L9B-1J6,
March 30, 1987.

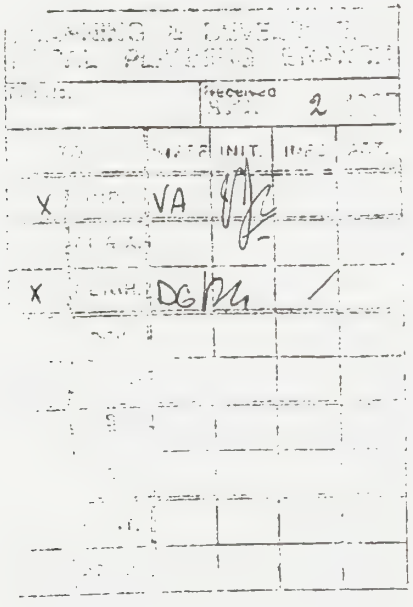
Mr. V. J. Abraham,
Director of Local Planning,
City Hall,
Hamilton, Ont.

Dear Sir:-

In the Newburn Neighbourhood Plan, West 5th St will cease to be a through street. If this plan is adopted I will not have access to my home at 1232.

I therefore object to this Plan, and would like to see West 5th St. remain a through street,

Yours Truly
Edward Follows
Harriet Follows

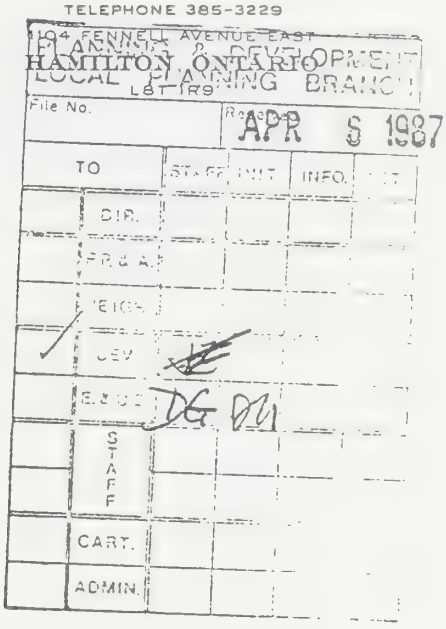


CONNOR & CONNOR

Barristers, Solicitors, Notaries

RALPH J. CONNOR, B.A.
PETER K. CONNOR, LL.B.

TELEPHONE 385-3229
194 FENNELL AVENUE EAST
HAMILTON, ONTARIO
L8T 1R9



April 1, 1987

Secretary
Planning and Development Committee
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

Re: Harley & Lois Allison
172 Rymal Road West, Hamilton

We are the solicitors for Mr. and Mrs. Harley Allison of 172 Rymal Road West, in the City of Hamilton and are writing to you on their behalf to protest the proposed plan for the Mewburn neighbourhood.

The Allisons object to the proposal for the following reasons:

1. The boundary of the neighbourhood bisects their property and will leave them to deal with another neighbourhood plan in the future.
2. The proposed new street into the park to the rear of the Allisons' property bisects their property and takes an 86' cut through the middle of it. This street, if proceeded with, would destroy their barn, their horsetrack and leave one-half of their property split off from their home with an 86' street to cross to get to the property. Such a street would make the opposite land virtually unuseable.
3. The proposed new street would have a width of approximately 126' at its juncture with Rymal Road, thus cutting off an extra area in front of the Allison' property.

The Allisons cannot understand why an 86' wide street is necessary when it comes to a dead end in the proposed park. They also cannot understand why it is necessary to block off West 5th Street and build a new Street at all. West 5th has been a through road for years and brings traffic from the downtown core all the way to Rymal Road.

To both the Allisons and myself, it seems poor traffic planning to stop this route. We note from your plan of the neighbourhood that there will be streets branching off West 5th Street at the north that hit it again further south, past the barriers, and we

are sure that most drivers would wind their way along these streets rather than try to make a left or right turn at Stonechurch Road, thus driving some distance out of their way and this would destroy your reason for blocking West 5th Street. At the meeting regarding the neighbourhood, your traffic planner stated that putting a stoplight at West 5th Street and Rymal Road would not be good planning as it was too close to Upper James Street. We also cannot understand this reasoning, as in the downtown there are stoplights at each block and as long as they are synchronized, we do not think there would be any problem in moving traffic.

The Allisons have lived on this property for over 38 years, and they have developed it and improved it over that time. Situated on the property are over 100 black walnut trees and the Allisons feel that it would be a step backwards to run an 86' expanse of concrete through such land.

Yours very truly,

CONNOR & CONNOR

Ralph J. Connor

RJC/cap
Encl.

PLANNING & DEVELOPMENT
LOCAL PLANNING BRANCH
File No.
APR 21 1987
TO | STAFF | INIT. | INFO. | ACT.
X | DIR. | VA | | |
| PR. & A. | | | |
✓ | NEIGH. | DG | | |
DEV.			
E. & U.D.			
STAFF			
CART.			
ADMIN.			

186 RYMAL RD W
44 good HAMILTON
ONT.
L9B 1B8
18-4-87

Dear Sir,

With regards to the public meeting of 18-3-87 concerning the Newburn Neighbourhood Plan, we would both like to say that we were very pleased to observe the process of local planning in action. We thought that the meeting was well organized and that everyone had an opportunity to state their concerns and have any queries they raised answered by someone with expertise in each specific area. Congratulations to the people who organized the meeting.

We both think that the plan is excellent and would greatly enhance the neighbourhood. We also eagerly anticipate the proposed public parkland area which will result in an improvement in the appearance and use of the land.

We do have certain concerns about the proposed widening of Rymal Rd. and the access road to the park. The

access road would mean that we would lose 10 ft along the east edge of our property. We feel we could accept this when you consider the whole positive impact of the plan. We strongly question the need for a "feeder lane" from the proposed road to provide access to Rymal Rd. We do not think that this will be necessary because of (a) there will be a traffic light at the intersection (b) the park does not appear large enough to anticipate such a heavy volume of traffic, (c) we will lose a considerable amount off the front and corner of our property.

Again please pass on our congratulations to all who organized and ran the meeting. We were very impressed by the meeting but will be more impressed by seeing what changes are made to the plan due to the input of the citizens of the area.

Yours sincerely

W B Ryan

Hendrika Ryan

MEMORANDUM • CITY OF HAMILTON

PLANNING & DEVELOPMENT
PLANNING BRANCH
File No.
Received APR 8 1987
TO | STAFF | INFO. | ACT

TO : Mr. V. J. Abraham,
Director of Local Planning
Attn: Mr. D. Godley, Manager
Neighbourhood Area Plans

YOUR FILE : P5-2-101

FROM : P. M. Eker

OUR FILE : 40-5.0

SUBJECT : McConnell Park
Mewburn Neighbourhood

DATE : 1987 April 7

This is in response to your memo of March 24, 1987 in which you ask us to let you "know as soon as possible if there are any use restrictions on McConnell Park."

We have reviewed the following documents pertaining to the subject land:

1. Deed of Land from William Samuel Thomas Connell and his wife Alma Florence Connell, to The Corporation of the City of Hamilton, dated the 7th day of April, 1966 and registered as Instrument No. 12465 A.B. on May 11, 1966.

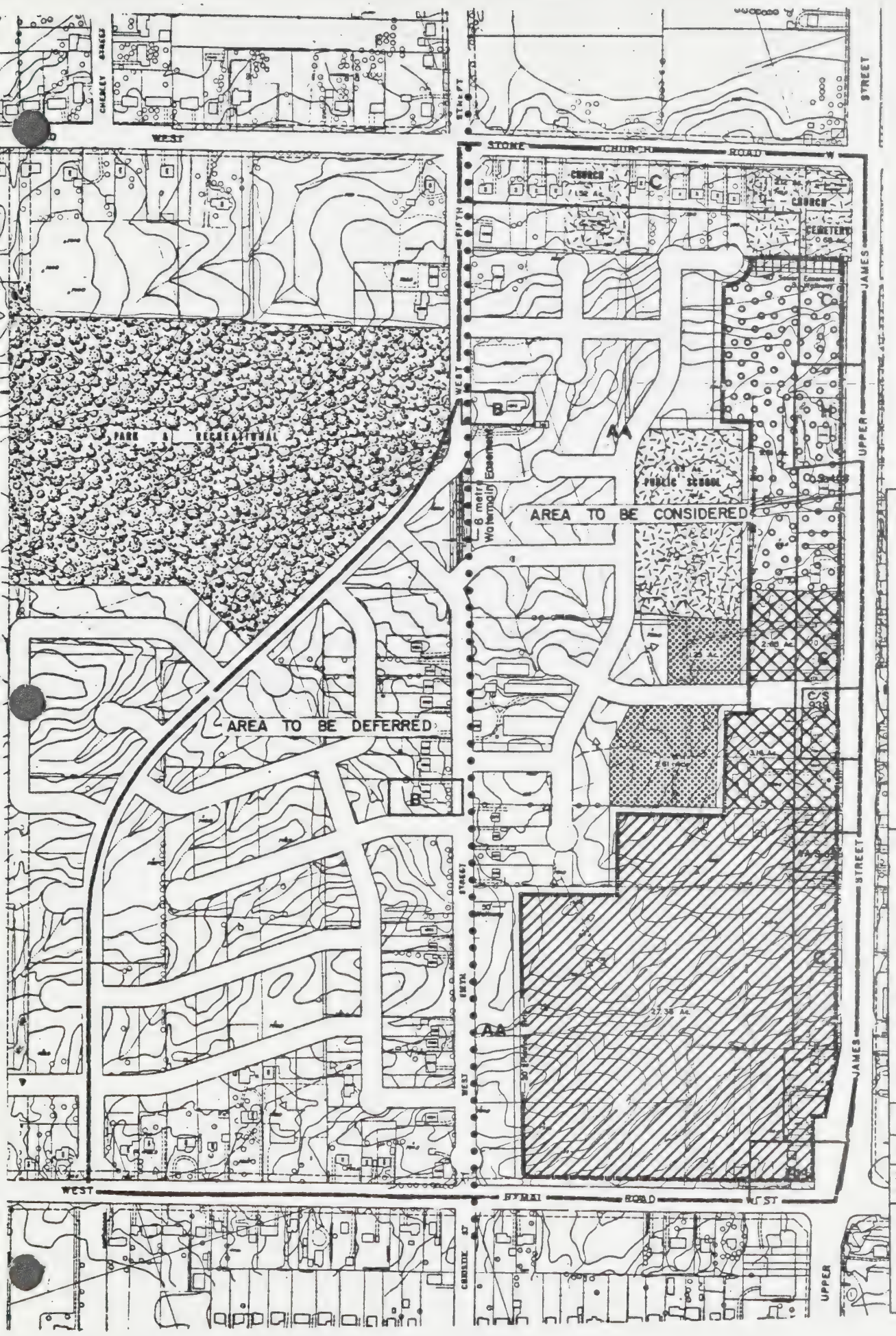
2. Quit Claim Deed from Elisa Bertus Van Holst and Rudolfina Van Holst, his wife, to The Corporation of the City of Hamilton, dated the 6th day of March, 1978 and registered as Instrument No. 83650 C.D. on March 22, 1978.

In response to your question, neither of the above documents reveals any use restriction on the subject land. The documents do not provide for the use of the park as a passive park or any prohibition against the sale or exchange for other land. We know of no agreement on title to this effect as part of the transaction resulting in the Deed of Land referred to above.

If you have any further information we will be glad to investigate it further. In the interim, we are closing our file.

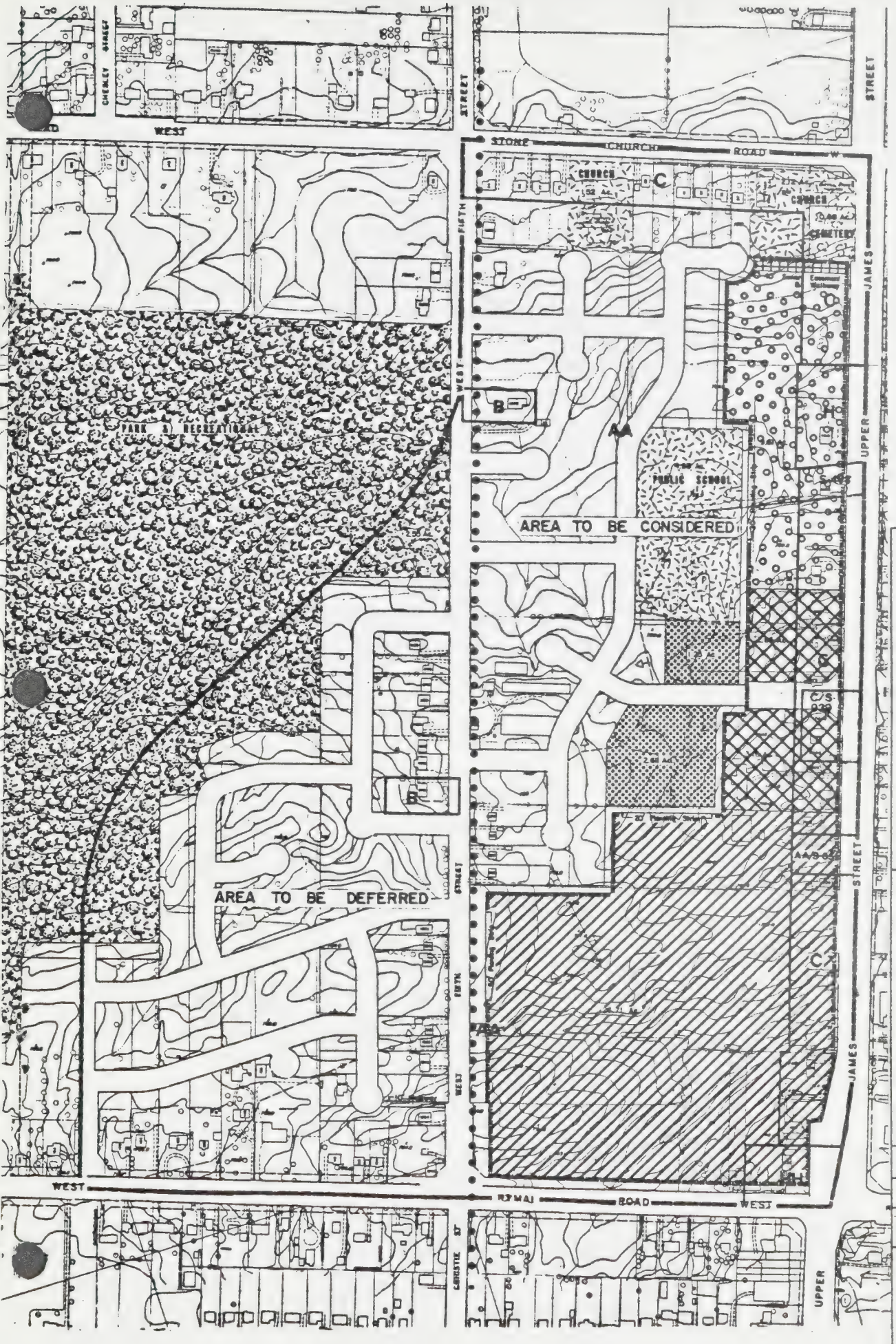
P. M. Eker,
for K. A. Rouff,
City Solicitor.

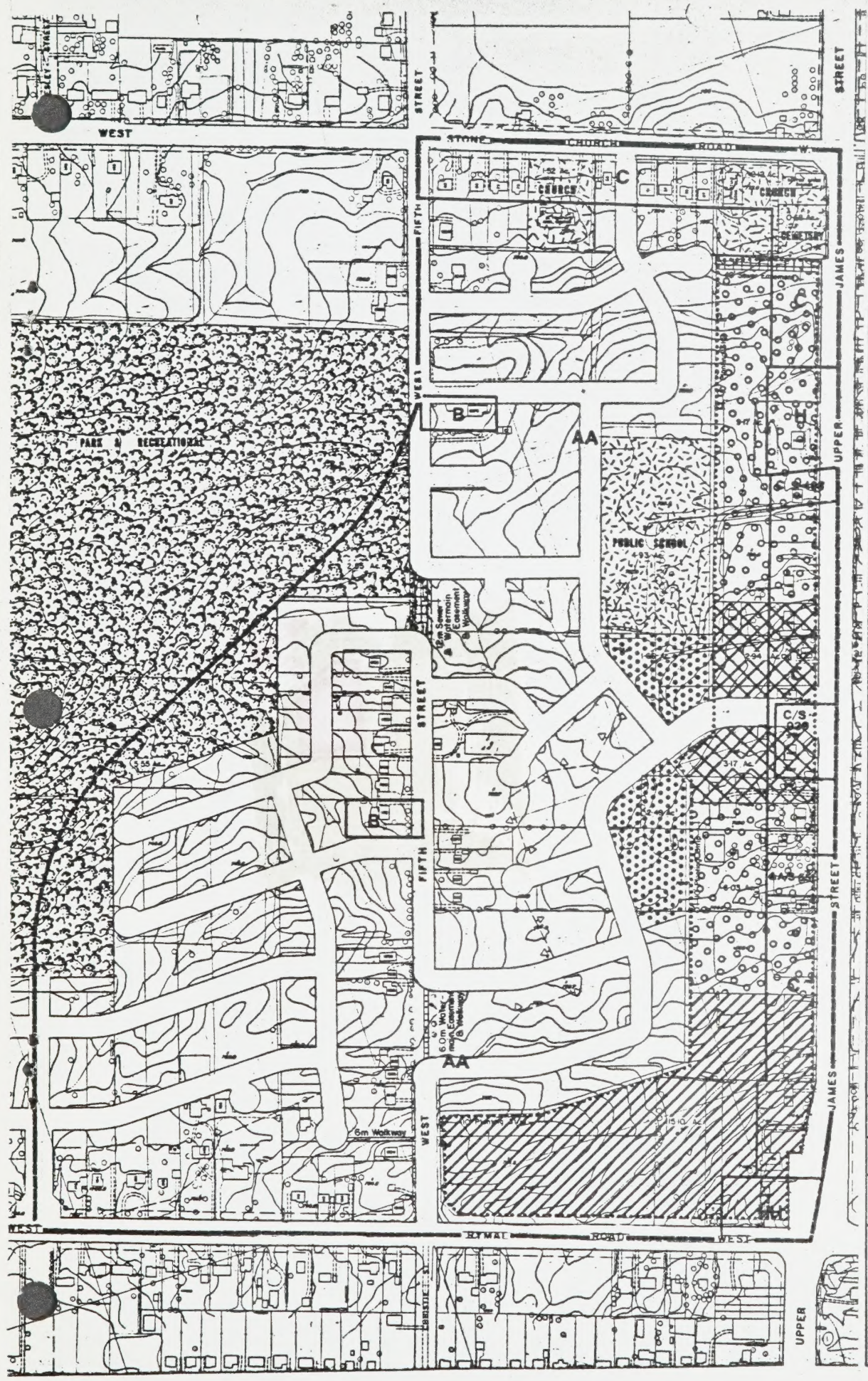
PME:js



PROPOSED NEIGHBOURHOOD PLAN

AREA EAST OF WEST FIFTH TO BE RECOMMENDED FOR ADOPTION BY CITY COUNCIL


AREA TO BE CONSIDERED AT PUBLIC MEETING IS EAST OF WEST FIFTH STREET ONLY
AREA TO BE CONSIDERED
AREA TO BE DEFERRED
PARK & RECREATIONAL
PUBLIC SCHOOL
CHURCH
CEMETERY
STONE CHURCH ROAD W
RYMAL ROAD WEST
WEST
FIFTH
JAMES
UPPER
EXISTING POPULATION
ALTERNATIVE
LAND USE
RESIDENTIAL
single & double
attached housing
low density apts.
medium density apts.
COMMERCIAL
COMMERCIAL & RETAIL WAREHOUSE
NEIGH'D COMMERCIAL
CIVIC & INSTITUTIONAL
PARK & RECREATIONAL
OPEN SPACE
UTILITIES
Neighbourhood Boundary
Zoning Boundary
Approvals
Revisions
CITY OF HAMILTON
MEWBURN
PROPOSED PLAN



EXISTING POPULATION (1985) 166

ORIGINAL PROPOSAL

LEGEND:

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- LIMIT OF DRAINAGE AREA
- AREA SUBJECT TO URBAN DESIGN GUIDELINES

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAIL CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

LAND USE

RESIDENTIAL
- single & double
- attached housing
- low density apts.
- medium density apts.

- COMMERCIAL
- COMMERCIAL & RETAIL WAREHOUSE
- NEIGH'D COMMERCIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals
Planning Comm. _____ Council _____
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

MEWBURN
PROPOSED PLAN

NORTH

DUO-TANG
5126O
MADE IN U.S.

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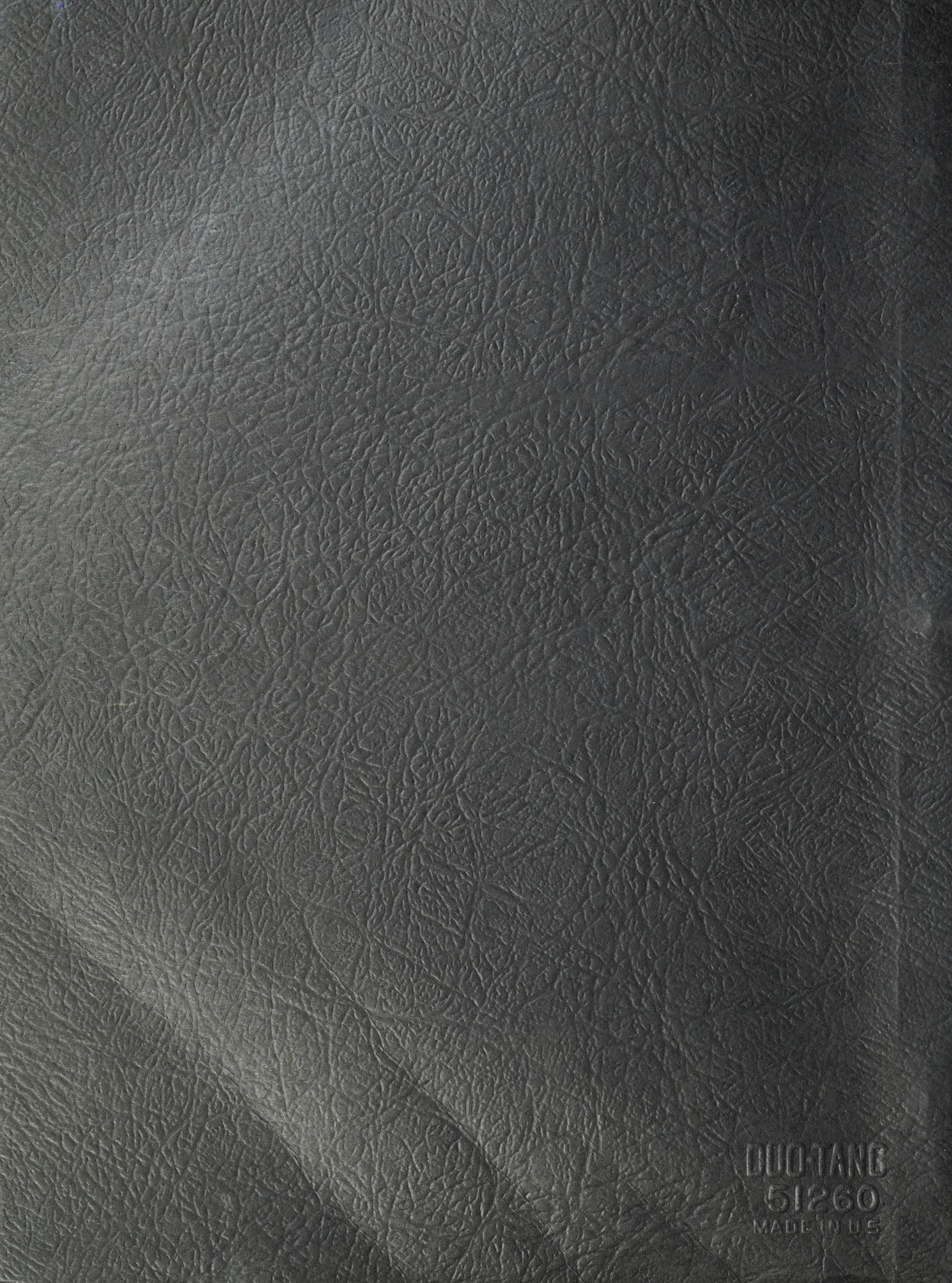
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